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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,117	07/31/2000	Howard Marantz	30566.112-US-U1	4975

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EXAMINER

BOUTAH, ALINA A

ART UNIT PAPER NUMBER

2143

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,117

Applicant(s)

MARANTZ ET AL.

Examiner

Alina N Boutah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) 1-10, 13-22, 25-34, 38-40, 42-44 and 46-48 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 12, 23, 24, 35-37, 41, 45 and 49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment filed January 31, 2005. Claims 11-12, 24-24, 35-37, 41, 45, and 49 are pending in the present application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-12, 23-24, 35-37, 41, 45, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,182,010 issued to Berstis.

(Amended) Regarding claim 11, Berstis teaches a system for accessing geographic information comprising:

- (a) a personal digital assistant (figure 1);
- (b) an application on the personal digital assistant, the application configured to
 - (i) request map data from a server (figure 3; col. 4, line 57 to col. 5, line 2);
 - (ii) receive the map data in a mapset constructed prior to the server receiving the request, wherein the mapset comprises map data for two or more maps (abstract; figure 5; col. 5, lines 53-65; col. 7, lines 13-20);

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(iii) format the map data (col. 2, lines 20-25);

(iv) display the map data on a screen of the personal digital assistant (col. 2, lines 52-60).

Although Berstis does not explicitly teach that the map data is requested from the servlet, he discloses the server in which the map data is requested from contains software programs including servlets (col. 4, line 45). One of ordinary skill in the art at the time the invention was made would have been motivated to employ a servlet to process request because it has the capability to extend web servers by generating dynamic web contents, therefore making the system more flexible.

Regarding claim 12, although Jin does not explicitly teach the system of claim 11 wherein the request is a 'GET' HTTP request, it is well known in the art that a servlet is program that runs as part of a network service, typically an HTTP server and responds to requests from clients. In this case, since the PDA requests map data from a servlet, it must do so by a GET HTTP request.

Claims 23-24 have similar limitations as claims 11-12, therefore are rejected under the same rationale.

Claims 35-37 have similar limitations as claims 11-12, therefore are rejected under the same rationale.

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Claims 41, 45 and 49 have similar limitations as claim 11, therefore are rejected under the same rationale.

Response to Arguments

Applicant's arguments filed January 31, 2005 have been fully considered but they are not persuasive.

In response to Applicant's argument that Berstis does not teach, disclose or suggest a PDA receiving a mapset containing data for multiple maps, wherein the mapset was constructed prior to the PDA requesting the data, the Patent Office respectfully submits that this is being taught in figure 5 of Berstis. Figure 5 illustrates a map as well as a photographic image of a physical area of a location on a PDA. The combination of the photo and the map is interpreted as a "mapset." As to whether or not the mapset was constructed prior to the PDA requesting the data, col. 2, lines 43-51 of Berstis discloses image contents being collected and stored on given physical media such as a server, which is transferred to a user's computer for display. The collection and storage imply that these images are created prior to the PDA requesting the data. Therefore, Bertis does teach the claimed feature and the rejection is sustained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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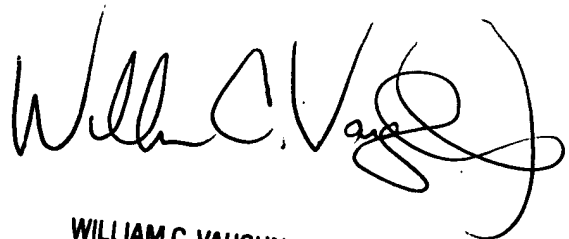
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ANB



WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

25 May 05